

TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

SB 1663 - HB 1512

April 15, 2014

**SUMMARY OF ORIGINAL BILL:** Requires the appropriate health-related boards to require applicants for licensure to submit to fingerprinting and a criminal history background check, as well as any convictions under federal or state law related to any controlled substance. Requires any healthcare practitioner to notify such practitioner's licensing board within 10 days of starting or ending work at a management clinic. Specifies that a pain clinic may be deemed a public nuisance and for an order of abatement to be issued if two or more violations occur at a particular clinic. Requires a health provider to inform the Department of Health with a statement as to whether or not such practitioner prescribes controlled substances. Provides for certain environments in which a medical practitioner may prescribe Schedule II or III drugs. Requires practitioners that are no longer able to prescribe Schedule II or III drugs, to provide any undispensed drugs to local law enforcement agencies. Requires wholesalers to buy back any undispensed Schedule II or III drugs that are in the manufacturer's original packaging, unopened, and in date, in accordance with the established policies of the wholesaler or the contractual terms between wholesaler and the practitioner concerning returns. This act shall take effect on January 1, 2015.

FISCAL IMPACT OF ORIGINAL BILL:

Increase State Revenue - \$6,300/FY14-15/TBI  
\$12,600/FY15-16 and Subsequent Years/TBI

Increase State Expenditures - \$6,300/FY14-15/TBI  
\$12,600/FY15-16 and Subsequent Years/TBI

**SUMMARY OF AMENDMENTS (016190, 014201):** Deletes all language after the enacting clause. Requires any healthcare practitioner to notify such practitioner's licensing board within 10 days of starting or ending work at a pain management clinic. Provides for certain environments in which a medical practitioner may prescribe opioids or benzodiazepines. Requires practitioners that are no longer able to prescribe opioids or benzodiazepines to, within 10 days after the effective date of this act, ensure that the undispensed inventory of opioids and benzodiazepines purchased under the prescriber's drug enforcement administration number for dispensing is returned to a licensed third party reverse distributor or local law enforcement agency. Requires wholesalers to buy back any undispensed opioids or benzodiazepines that are in the manufacturer's original packaging, unopened, and in date, in accordance with the established policies of the wholesaler or the contractual terms between wholesaler and the

SB 1663 - HB 1512

practitioner concerning returns. Requires wholesalers to design and operate a system which tracks suspicious orders of controlled substances. This act shall take effect on January 1, 2015.

## **FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENTS:**

### **NOT SIGNIFICANT**

Assumptions for the bill as amended:

- Requiring wholesalers to purchase unused, unopened, opioids or benzodiazepines will have no significant impact on state government.
- Any increase in workload of the Department of Health will not be significant and can be accommodated within existing resources.

## **CERTIFICATION:**

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, appearing to read "Lucian D. Geise".

Lucian D. Geise, Executive Director

/jdb